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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-fourth session
Agenda item 16

CONTEMPORARY FORMS OF SLAVERY

Draft resolution submitted by Mr. Al-Khasawneh, Ms. Ferriol Echevarria, Ms. Ksentini, Mr. Maxim and Mr. Merrills

1992/-. Report of the Working Group on Contemporary Forms of Slavery

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Taking note of the report of the Working Group on Contemporary Forms of Slavery on its seventeenth session (E/CN.4/Sub.2/1992/34),

Deeply concerned at the information it contains relating to the traffic in persons and the exploitation of the prostitution of others, the sale of children, child prostitution and child pornography, the exploitation of child labour, debt bondage, the slavery-like practices of apartheid and colonialism, and the phenomenon of child soldiers,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery for its valuable work, in particular the progress made at its seventeenth session in executing its programme of work, and for its continued broad approach and flexible methods of work;

I. Sale of children, child prostitution and child pornography

(a) Special Rapporteur on the sale of children, child prostitution and child pornography

2. Welcomes the decision of the Commission on Human Rights, contained in its resolution 1992/76 of 5 March 1992, to extend the mandate of the Special Rapporteur, Mr. Vitit Muntarbhorn, for three years, while maintaining the annual reporting cycle;

3. Takes note of the information on these problems supplied by participants at the seventeenth session of the Working Group and requests the Centre for Human Rights to transmit this information to the Special Rapporteur, along with the recommendations relating to his mandate;

4. Requests the Special Rapporteur, within the framework of his mandate, to pay increased attention to issues relating to trafficking in children, such as organ transplantation, the use of children's bodily products, disappearances, the purchase and sale of children, adoptions for commercial or exploitative purposes, child prostitution and the involvement of children in armed conflicts;

(b) Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography

5. Requests the Secretary-General, in accordance with Commission on Human Rights resolution 1992/74 of 5 March 1992, to invite all States to inform the Sub-Commission of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, contained in the annex to resolution 1992/74;

6. Requests the Working Group to examine the state of the implementation of the Programme of Action at its eighteenth session and to transmit, through the Sub-Commission, a report thereon to the Commission at its fiftieth session;

(c) Removal of organs from children

7. Requests the Secretary-General to invite all Governments, United Nations bodies, including the United Nations Children's Fund, the specialized agencies, in particular the World Health Organization, and all

relevant non-governmental organizations, in particular ICPO-INTERPOL, to pursue their investigations of allegations involving the removal of organs from children and to indicate the measures taken, if any, to counteract this practice wherever it exists, with a view to presenting a report to the Working Group at its eighteenth session;

II. Exploitation of child labour and debt bondage

8. Reiterates its request to the Commission on Human Rights to authorize it to consider the possibility of appointing a special rapporteur to update Mr. Abdelwahab Bouhdiba's report on the exploitation of child labour (E/CN.4/Sub.2/479), submitted to the Sub-Commission at its thirty-fourth session in 1981, and to extend that study to the problem of debt bondage;

9. Decides to transmit the draft programme of action for the elimination of the exploitation of child labour (E/CN.4/Sub.2/1992/34, annex 1) to the Commission on Human Rights;

10. Decides to keep the question of the eradication of debt bondage under consideration and to assess the progress achieved;

III. Child soldiers

11. Takes note of the report of the Secretary-General on the recruitment of children into governmental and non-governmental armed forces (E/CN.4/Sub.2/1992/35 and Add.1);

12. Expresses its deep concern that in many parts of the world children continue to take part in hostilities and are recruited into armed forces, and that some Governments and non-governmental entities encourage and sometimes compel children to take part in hostilities;

13. Requests the Working Group to continue to give attention to this question at its eighteenth session;

IV. Prevention of traffic in persons and exploitation of the prostitution of others

14. Considers it necessary to promote the implementation of international norms and standards concerning the traffic in persons and the exploitation of the prostitution of others and to strengthen the implementation mechanism of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others;

15. Requests the Secretary-General to make available to the Working Group on Contemporary Forms of Slavery a summary of the replies received from Governments, specialized agencies and intergovernmental and non-governmental organizations relating to the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others, pursuant to Commission on Human Rights resolution 1992/36 of 28 February 1992;

16. Requests the Secretary-General to convey to the World Tourism Organization the grave concern of the Working Group with regard to sex tourism, together with a request that it convene, as a matter of priority, a meeting to discuss the consequences of sex tourism and ways of preventing this phenomenon, in particular when the prostitution of children is involved;

17. Recommends that States take urgent measures to protect minors from exposure to or involvement in child pornography and requests the Secretary-General to invite States to provide information on measures taken or already applicable in that regard;

18. Requests the Secretary-General to submit to the Special Rapporteur on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms information received by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Working Group on Contemporary Forms of Slavery regarding the situation of women forced to engage in prostitution during wartime;

V. Machinery for monitoring the international conventions on slavery

19. Recommends that the Secretary-General request the States parties to the international conventions on slavery to submit to the Sub-Commission at regular intervals reports on the situation in their countries, as provided for under the conventions;

20. Requests the Secretary-General to invite annually States which have not acceded to or have not ratified the international conventions on slavery to explain why they have not done so and to report on their replies to the Sub-Commission at its forty-fifth session and to the Commission at its fiftieth session, and to extend a similar invitation to States which have not ratified the conventions on forced labour of the International Labour Organisation;

21. Recommends that Governments avail themselves of the possibility of requesting assistance under the United Nations programme of advisory services in the field of human rights and of the technical assistance programmes of the specialized agencies, in particular that of the International Labour Office;

22. Urges the specialized agencies to give particular attention to poverty as a factor leading to or perpetuating slavery and slavery-like practices and to include in their technical assistance programmes activities designed to eliminate slavery and slavery-like practices;

23. Requests the Secretary-General, when preparing his next report on the status and implementation of the international conventions on slavery, to include a list of States which have not yet signed, ratified or acceded to those instruments;

VI. United Nations Trust Fund on Contemporary Forms of Slavery

24. Calls for the immediate implementation of General Assembly resolution 46/122 of 17 December 1991 establishing the United Nations Trust Fund on Contemporary Forms of Slavery and appeals to all Governments to respond favourably to requests for contributions to the Fund;

VII. Miscellaneous

25. Requests the Working Group to study the possibility of preparing guiding principles for combating the various contemporary forms of slavery and to endeavour to identify the spheres in which such guiding principles could be applied;

26. Requests the Secretary-General to seek the views and suggestions of Member States and governmental and non-governmental organizations on this subject with a view to the consideration of their replies by the Working Group at its future sessions;

27. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining the periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, with a view to combating contemporary forms of slavery;

28. Also recommends that the supervisory bodies of the International Labour Organisation and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular attention in their work to the implementation of provisions and standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons;

29. Requests the Secretary-General to transmit to the above-mentioned committees, the Special Rapporteurs concerned and the Working Group on Disappearances the recommendations of the Sub-Commission contained in this resolution of relevance to them and the report of the Working Group on its seventeenth session;

30. Also requests the Secretary-General to invite news agencies, the press, television and radio to contribute, particularly within the context of the World Conference on Human Rights, to the rapid elimination of slavery in all its contemporary forms by ensuring wide and effective publicity about existing cases of slavery, the slave trade, other slavery-like practices, trafficking in persons and exploitation of the prostitution of others, and also requests that similar awareness be promoted by the Department of Public Information of the United Nations Secretariat;

31. Notes with appreciation that the Commission on Human Rights, in its decision 1992/115 of 3 March 1992, decided to approve the request of the Sub-Commission to the Secretary-General to examine the possibility of organizing the sessions of the Working Group for eight working days during the month of April or May and recommends that such arrangements be repeated in subsequent years;

32. Requests the Secretary-General to schedule periods of consultation of the Special Rapporteur on the sale of children at the Centre for Human Rights to coincide with the future sessions of the Working Group and, if this cannot be arranged, requests the presence at those sessions of the officer of the Centre for Human Rights who assists the Special Rapporteur;

33. Again requests the Secretary-General to reassign to the Working Group a full-time Professional staff member of the Centre for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity

and close coordination within and outside the Centre for Human Rights on issues relating to contemporary forms of slavery, to prepare documentation well in advance, to facilitate the attendance at the sessions of the Working Group of the the largest possible number of intergovernmental and non-governmental organizations with competence in the fields examined, and to report on the measures taken for this purpose to the Commission on Human Rights at its forty-ninth session and to the Working Group on Contemporary Forms of Slavery at its eighteenth session;

34. Again requests the Secretary-General to designate the Centre for Human Rights as the focal point for the coordination of activities in the United Nations for the suppression of contemporary forms of slavery and to report on the measures taken for this purpose to the Commission on Human Rights at its forty-ninth session and to the Working Group on Contemporary Forms of Slavery at its eighteenth session.